REMARKS

Claims 1-28 are pending in the application.

The Applicants respectfully request the Examiner to reconsider earlier rejections in light of the following remarks. No new issues are raised nor is further search required as a result of the changes made herein. Entry of the Amendment is respectfully requested.

Claims 1, 2, 5, 6, 8, 11-15, 18-21 and 24-27 over Berggren

In the Office Action, claims 1, 2, 5, 6, 8, 11-15, 18-21 and 24-27 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Berggren et al., U.S. Patent No. 6,073,015 ("Berggren"). The Applicants respectfully traverse the rejection.

Claims 1, 2, 5, 6, 8, 11-15, 18-21 and 24-27 recite, *inter alia,* an application server that is user accessible to determine at least one of presence information and location information of a wireless device.

Berggren appears to disclose a method and apparatus for facilitating communications with a roaming mobile subscriber unit (Abstract). A mobility server includes a mobility manager that is capable of communicating information with a home location register (HLR) and routes calls from a PSTN to mobile subscriber units (Berggren, col. 7, lines 5-6). A storage device within the mobility manager stores location information related to subscriber units operable in respective networks associated with mobility servers (Berggren, col. 7, lines 21-24). The location information can be updated during operation of the mobile subscriber units (Berggren, col. 7, lines 24-26). An Internet connection connects the HLR and the mobile servers for communication of mobility management information (Berggren, col. 4, lines 46-56; col. 7, lines 42-48).

Berggren in effect creates a macro HLR. This macro HLR provides HLR functions, but the HLR functions are still all internal to the wireless/wireline network. Berggren provides no suggestion of external network communication, since only facilitating a super HLR or a macro HLR that is queried for mobility management. TCP/IP connections facilitating internal to network communication mobility manager to distribute HLR data internal to a wireless network (MSC or

HLR) is <u>NOT</u> an <u>application server</u> that is <u>user accessible</u> to determine at least one of presence information and location information of a wireless device, as recited by claims 1, 2, 5, 6, 8, 11-15, 18-21 and 24-27.

The Office Action alleges that the claimed <u>application server</u> equates to Berggren's LAN connected to a mobility server (Office Action, page 2). However, Berggren discloses the mobility server performs <u>call routing</u> (col. 7, lines 15-20), <u>NOT</u> acting as an **application** <u>server</u>, as recited by claims 1, 2, 5, 6, 8, 11-15, 18-21 and 24-27. Nevertheless, claims 1-28 are amended herein to further distinguish over the cited prior art to recite that the <u>application server</u> is <u>user accessible</u>.

A benefit of connecting a database relating to individual wireless device subscribers over a TCP/IP communications channel to an <u>application server</u> is, e.g., targeting information specific to wireless device subscribers. An application server can execute such applications as advertisements to wireless device subscribers based on information in the database, triggered by a status change in the location and presence attributes held by a mobile subscriber. By targeting wireless device subscribers with information based on location and/or presence, wireless device subscribers can be given more relevant information at any particular instance.

Accordingly, for at least all the above reasons, claims 1, 2, 5, 6, 8, 11-15, 18-21 and 24-27 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

<u>Claims 3, 4, 7, 9, 10, 16, 17, 22, 23 and 28 over Berggren in view of Gossman</u>

In the Office Action, claims 3, 4, 7, 9, 10, 16, 17, 22, 23 and 28 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Berggren in view of Gossman et al., U.S. Patent No. 6,181,935 ("Gossman"). The Applicants respectfully traverse the rejection.

Claims 3, 4, 7, 9, 10, 16, 17, 22, 23 and 28 are dependent on claims 1, 13, 19 and 25 respectively, and are allowable for at least the same reasons as claims 1, 13, 19 and 25.

Claims 3, 4, 7, 9 and 10 recite, *inter alia,* an <u>application server</u> that is <u>user accessible</u> to determine at least one of presence information and location information of a wireless device.

As discussed above, Berggren fails to disclose or suggest an <u>application server</u> that is <u>user accessible</u> to determine at least one of presence information and location information of a wireless device, as recited by claims 3, 4, 7, 9, 10, 16, 17, 22, 23 and 28.

The Office Action relies on Gossman to make up for the deficiencies in Berggren to arrive at the claimed invention. The Applicants respectfully disagree.

Gossman appears to disclose a system which enables seamless roaming for wireless subscribers with cooperation from various entities such as a HLR (col. 3, lines 30-53; col. 4, lines 1-12). Communication between various entities in the communication network utilize SS7 protocol and is IS-41 compliant (Gossman, col. 3, lines 62-67; col. 4, lines 17-22; and col. 11, lines 38-43).

Gossman discloses, as is relied on to disclose, seamless roaming for wireless subscribers with entities within the system utilizing SS7 protocol. Gossman fails to disclose an <u>application server</u>, much less an <u>application server</u> that is <u>user accessible</u> to determine at least one of presence information and location information of a wireless device, as recited by claims 3, 4, 7, 9, 10, 16, 17, 22, 23 and 28.

Accordingly, for at least all the above reasons, claims 3, 4, 7, 9, 10, 16, 17, 22, 23 and 28 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,
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